Slaughter v. Jones Day
Doc. 16 Att. 4

EXHIBIT A

PART 3

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building --
Q. Uh-huh.
A. -- for those major problems --
Q. Uh-huh.
A. -- that would happen with the phone system. So, I mean, he didn't work directly for Jones Day in the sense that Jones Day did not pay him.
Q. Uh-huh.
A. But he was one of our vendors.
Q. Okay. And Zachary Green never worked for Jones Day, did he?
A. That's correct.
Q. Okay. Brent Whittington. Who is he, and what does he know?
A. Brent Whittington works for a company called, I believe, Telecom Express.
Q. Uh-huh.
A. And again, he's someone that I frequently communicated with as far as buying equipment and analyze -- or discussing our phone system and assessing needs.
Q. Okay. Did he ever work for Jones Day?
A. No.
Q. Natalie Anton. Who is she?
A. Natalie Anton is the former regional GIS

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manager.
Q. And what does she know about this case?
A. She knows nothing about the case.
Q. What does she know about your experience or your position?
A. She knows a lot about it, I would think. I mean, Natalie was one of the first individuals that I met with.
Q. Uh-huh. Have you talked to her about this lawsuit?
A. No.
Q. Have you asked her to be a witness?
A. No, I have not.
Q. Okay. Sara White. What do you believe that Sara White knows about this lawsuit?
A. I believe that -- or I -- Sara White possibly knows quite a bit.
Q. What does she know?
A. Sara met with me while she was here in Houston.
Q. When was this?
A. This was back in November of 2003. This was after my job was taken away from me, and Sara said that she wanted to meet with me one-on-one to talk to me about what happened. She went on to tell me that she was really sorry that this happened; and she said, "But

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try to look at it this way. Now you can focus in on things or the responsibilities that they're actually paying you for. You have been doing the manager's job for a long time, and you have been underpaid during this time."
And she was basically trying to console me and telling me that now Jerri can worry about all of those things that I had formally worried about. She said, "Let Jerri handle all that responsibility now."
I told Sara that that was very hard to do, and she said she -- she really understood. She said, "Since you've been doing the job all this time."
Q. Okay. And -- and you said that she told you that you'd been underpaid for a long time.
A. That's what she said.
Q. Did she know your salary?
A. I assume that she did but she said that and I -- I think maybe because she's the regional manager and because of some budgetary types of issues, she probably had an idea.
Q. But -- but you didn't report to her. She wasn't your supervisor.
A. There was -- there was a reporting relationship.
Q. But not a direct line?

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A. Correct.
Q. Okay. What else -- is there anything else that she said during this conversation?
A. Well, no. From what I recall, she had to -- to cut it short at that particular time; but she, as I said, mentioned that I was already doing the job, I had done the job, and I was underpaid and she felt really bad about what happened. And around that same time, Burt Holombek, someone else, walked in; and he kind of made a -- a little reference about it, too. So . . .
Q. Who is that?
A. His name is Burt Holombek.
Q. Can you spell that? H-o-l-l-e-n-b-e-c-k or a-c-k?
A. Maybe H-o-l -- H-o-l-o-m-b-e-k, I think.
Q. And what did he say?
A. He walked in. I assume he heard some of what Sara had -- had said. And he told me, he said, "Well, Kevin did his thing, huh?" And he went on to say that the Houston office was so different in so many different ways and it was very inconsistent with the rest of the offices.
Q. Now, what is Bret [sic] Holombek -- Holombek's title?
A. GIS manager for the Dallas office.

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Q. Do you know what, if any, working relationship he had with Kevin Richardson?
A. I'm not aware of any working relationship unother [sic] than, I would say, their -- the projects. You know. Burt had been in the Houston office to help out with a project or two.
Q. Okay. What's his race?
A. He's white.
Q. How do you know that?
A. He looks white.
Q. Did you ask him what did he mean by his statement, "Kevin did his thing"?
A. I did not have -- have time to -- to talk to him and quantify or get -- get an explanation. At the time, I was under serious distress. So I think that conversation just led me to tears. So I -- I couldn't talk to him.
Q. Kelly Beecher. Who is she?
A. Kelly Beecher's a male. And --
Q. Who is he?
A. He -- he is the GIS manager for Menlo Park.
Q. Okay. And what does he know?
A. What does he know?
MR. PADGETT: I'm going to object to the form of that question. If you could maybe be a little

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more --
MS. CLARK: Okay.
MR. PADGETT: -- specific.
Q. (By Ms. Clark) What does he know about this lawsuit? He's identified as a person with knowledge. What does he know about this lawsuit?
A. He knows nothing about the lawsuit.
Q. What does he know about your position or your experience?
A. He knows quite a bit about that.
Q. What -- what does he know about it?
A. Specifically, Kelly Beecher assisted with some of the transitional issues as it relates to the merger of the Bayco Gibson and Jones Day infrastructure. So he worked very closely with me early on to assist with some of that. So Kelly has personal knowledge of my work and of me; and Kelly Beecher back in January of 2001 sent an e-mail to -- I believe it was Carol Monteith -- stating that, "Ava Slaughter is the ISS manager for the Houston office, as well as the whole of the ISS staff. So as you can assume, she is extremely busy." So --
Q. Okay.
A. -- that's what he knows.
Q. And I think you testified about William Gaskill, but why have you listed him as a person with

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knowledge in this case?
A. Because Mr. Gaskill is aware of his own distribution list, which was in the system; and it was a distribution list of all of the GIS managers for North America. And so he is aware because it was his list that I was the first person listed in his own list of managers.
Q. Laurie Bounds. What does she know?
A. Laurie Bounds is someone who assisted with the move. She's -- she works in the Dallas office in the HR department. She's aware of my -- my resume, my experience.
Q. How is she aware of your resume and your experience?
A. Because she collected all of the resumes when the merger took place.
Q. Okay. David Lovell. Lovell, L-o-v-e-l-l?
A. Yes. Uh-huh.
Q. Who is he?
A. He is the former -- excuse me -- the former technology director.
Q. And what does he know about this lawsuit or your claims?
A. He knows nothing about the lawsuit. He knows that I was the ISS manager.

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Q. George Cazdick?
A. Gazdick.
Q. Gazdick. What does he know?
MR. PADGETT: Again, I'm going to have --
Q. (By Ms. Clark) About the -- about the lawsuit and your -- the claims you're making in this lawsuit.
A. George Gazdick knows nothing about the lawsuit. As far as the claims, he -- he knows that I was the manager for the Houston office; and additionally, he can -- he can verify many of the responsibilities that I had as the manager.
Q. Okay. He's listed as CIO of Squires, Sanders & Dempsey. Is that a law firm?
A. I believe so.
Q. He's no longer with Jones Day, I take it?
A. That is correct.
Q. How does he know you were the manager?
A. Because I participated in the manager meetings. George was someone -- he was over -- at the time, he was -- he was Natalie's manager.
Q. Okay.
A. And Sara's manager. And --
Q. I'm sorry. Go ahead. And who else?
A. And therefore, he -- he's aware of my function within the office.

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Q. Okay. When was the last time you spoke with him?
A. When he left the firm.
Q. Okay. How did you know his current address?
A. Because he provided that --
Q. -- when he left?
A. -- via e-mail when he left.
Q. Carrie Heinzman. Who is she?
A. Carrie Heinzman is the former -- the former help desk supervisor.
Q. In which office?
A. In the Cleveland office.
Q. And what does she know about this lawsuit or about the allegations or claims you're making in this lawsuit?
A. Carrie Heinzman knows nothing about the lawsuit. She knows that I was the manager of the Houston office.
Q. And how does she know that?
A. Because I was introduced to her as the manager and in her own documentation.
Q. Who introduced you as the manager?
A. Natalie Anton.
Q. Have you -- when was the last time you spoke with Carrie Heinzman?

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A. Years.
Q. Okay. Who is Evelyn Leblois?
A. I believe that's how you pronounce it, yeah. Evelyn is the former ISS GIS manager for the Brussels office.
Q. Uh-huh. Where does she work now?
A. I don't know.
Q. Why is she listed as a person with knowledge?
A. Because Evelyn can verify the fact that I was the manager for the Houston office. We frequently communicated as a peer regarding work projects that she had --
Q. Uh-huh.
A. -- projects that I had. She worked in an office with a single person, as well; and she was the manager of the Brussels office. And she's also aware of some of the issues and concerns that I had in the office.
Q. Sue Klingsmith.
A. Yes.
Q. Who is she?
A. She's the former financial administrator, I believe.
Q. Of which office?
A. Of the Cleveland office.

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Q. Why is she listed as a person with knowledge?
A. Because again, Sue is aware that I was manager of the Houston office; and she's familiar with the budgets. She was responsible for sending out budget reports and that sort of thing. And so she can verify the fact that I responded to those requests and that I handled from a technology perspective many aspects of the budget in Houston. The same as other managers in other offices.
Q. When did she leave?
A. I don't remember exactly. I think it was probably in 2003, 2004.
Q. When did Ms. Leblois leave?
A. I believe she left in 2005.
Q. Have you spoken to either Ms. Leblois or Ms. Klingsmith?
A. No, I have not.
Q. What are you looking for in this lawsuit?
A. What am I looking for?
Q. Yes. What do you want from this lawsuit?
A. I want my job back. I want to be treated fairly. I want to be treated equal to the other managers. My job was taken away from me. I want my job back.
Q. Is that it?

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A. Is that it?
Q. Yes.
A. That's all I can think of right now.
Q. Okay. What -- what is the fee arrangement you have with your attorney? Have you provide -- I'm not asking you to tell me what you've talked about. Have you provided a retainer?
MR. PADGETT: Actually, you kind of are. And so unless that question is rephrased or if you can give her a little bit more notion of what you're looking for, I'm going to have to object to it just because it's so broad that it really would encompass potentially attorney-client privilege matters.
MS. CLARK: No, it wouldn't get into that.
Q. (By Ms. Clark) Okay. Have you paid to your attorney a retainer to represent you in this case?
A. I want you to be aware that I had a previous attorney.
Q. Okay.
A. Which I did pay a retainer for.
Q. And how much was that retainer?
A. I -- I don't really remember. Couple of thousand dollars.
Q. Okay. Did you receive a refund?
A. No, I did not.

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Q. Okay. Now --
A. I mean, that was just the retainer. I mean, I've paid him more than that.
Q. Okay. Well, how much did you pay that lawyer?
A. Approximately five, $6,000.
Q. Okay. And did you -- do you have another retainer with this -- your current attorney?
A. We have a fee arrangement in place.
Q. And -- and what is that fee arrangement? A percentage of any recovery that you may receive?
A. I'd have to look at the -- the documentation. I just don't -- don't remember exactly what it was.
Q. As you sit here today, you don't know the fee arrangement.
A. No.
Q. Okay. I'm not certain I under -- did you pay a retainer, or you've not paid a retainer to this --
A. No. I did not have to pay a retainer.
Q. Okay.
A. Okay.
Q. Do you participate in any 401(k) plan at the firm?
A. Yes, I do.
Q. Okay. Has the amount that you contribute changed since 2003?

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A. I think I've put -- I -- I have the same percentage that I've had all along; but, of course, it -- it's changed somewhat because of salary.
Q. You've not earned -- how has it changed in terms of salary?
A. In 2004 I received an increase.
Q. Okay. And so then your contribution increased.
A. Exactly.
Q. Okay.
A. But the percentage is the same.
Q. I understand.
Before 2003 were you paid on -- were you paid overtime for any hours worked over 40 in any given workweek?
A. I was paid overtime for hours worked -- for any hours worked 37 1/2.
Q. But you did receive overtime.
A. That is correct.
Q. And since -- and then after Jerri Del Riesgo was placed in the manager position, did you continue to -- to have the opportunity to earn overtime for any hours worked over 37 1/2?
A. Would you please rephrase the question?
Q. Sure. You were eligible and received overtime payments -- overtime -- overtime compensation before

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Jerri was placed in the GIS manager position in October, 2003, correct?
A. Correct.
Q. And nothing changed after she was put in the GIS manager position. You still were able to earn overtime compensation for any hours worked over 37 1/2 in any given workweek.
A. That is correct.
Q. Okay. Do you know whether or not as the GIS manager Jerri Del Riesgo was eligible to receive overtime compensation for any hours worked over 37 1/2?
A. I don't know.
Q. Since you've been employed at or by Jones Day, you've never been paid as an exempt employee, have you?
A. No, I have not.
Q. You've received overtime throughout your tenure with Jones Day whenever you worked over 37 1/2 hours.
A. That is correct.
MS. CLARK: Can we go off the record for five, ten minutes?
THE VIDEOGRAPHER: Going off the record. The time is 2:01.
(Recess from 2:01 p.m. to 2:14 p.m.)
THE VIDEOGRAPHER: Going back on the record. The time is 2:14.

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Q. (By Ms. Clark) Ms. Slaughter, do you know whether any of the other GIS managers were paid on an hourly basis or were treated as exempt employees?
A. I don't know.
Q. I'm going to show you a copy -- a section of the Jones Day handbook. And I'm going to ask you to take a minute to review Section B, "Networks and Information Systems."
A. Okay.
MR. PADGETT: Are we marking this as an exhibit?
MS. CLARK: Well, I'm going to give her a chance to review it first. Then I'll determine. It's pretty long. We may need to go off the record.
MR. PADGETT: Are these more of the documents that I have? I mean, I --
MS. CLARK: You.
MR. PADGETT: I know that you say that you produced it to me, but I don't have -- what I have produced to me so far are documents Bates stamped 1 through 177 and 178 through 431. In my review of the documents, I have not seen those; and I -- I apologize. I'm just trying to -- I just want to make sure the record is clear. Are these documents that you say that you produced to me but they're just not Bates stamped,

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or are they documents that you're just now producing to me?

MS. CLARK: I believe the documents have been produced to you.

MR. PADGETT: Okay.

MS. CLARK: I'll definitely double-check to make sure that they have, and I appreciate the documents that you produced to me on the morning of her first deposition and this morning. But if you don't have them, I'll make sure that you do. It's a copy of the handbook that --

MR. PADGETT: Okay.

MS. CLARK: -- she acknowledged in the last deposition.

MR. PADGETT: That's fine.

MS. CLARK: But if you don't have it, I'll make sure you have it.

MR. PADGETT: Okay.

MS. CLARK: But I -- but this copy is my copy and it's not Bates labeled, but I'll make sure that you have it if you don't have it. But I believe you do.

MR. PADGETT: That's fine.

MS. CLARK: That's Pages 92 and 93 of the handbook. Let's go off the record so we're not --

THE VIDEOGRAPHER: Going off the record.

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The time is 2:18.

(Recess from 2:18 p.m. to 2:25 p.m.)

THE VIDEOGRAPHER: Going back on the record. The time is 2:25.

MS. CLARK: I forget about that.

Q. (By Ms. Clark) Ms. Slaughter, have you had a an opportunity to review Pages 92 and 93 of the firm and office manual?

A. Yes, I have.

Q. Okay. Now, what is your understanding of Section B, "Networks and Information System," in connection with your role either as, as you state, the GIS manager or the technology support specialist?

MR. PADGETT: I am going to have to object --

A. I --

MR. PADGETT: -- to the form of the question.

MS. CLARK: Okay.

Q. (By Ms. Clark) You can still answer.

MR. PADGETT: And also ask if we're going to refer to a document, could we have it marked as an exhibit?

MS. CLARK: I'm -- I'm referring -- I'm asking her questions about this document; and if I want

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to mark it, I'll mark if. And if not, I won't, but --

MR. PADGETT: Then I further object to the form of the question.

MS. CLARK: Okay. That's fine.

Q. (By Ms. Clark) You may answer the question.

A. Would you please rephrase the question?

Q. Sure. You testified earlier that you knew you were the GIS manager at Jones Day Houston's -- Houston office, correct?

A. Correct.

Q. Okay. Do you believe that the policies and procedures of the firm apply to you in your role as manager GIS?

A. Firm procedures apply to all firm employees.

Q. Okay. Including yourself.

A. Correct.

Q. Okay. Now, I'm asking you -- when you've had an opportunity an opportunity to review Section B that's found on Pages 92 and 93 of the manual, I'm asking you to explain to me: What does this section mean to you in your role as GIS manager?

A. That it was up to me to maintain the integrity of the system.

Q. Okay. And when you say "the integrity of the system," what do you mean by that?

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A. It specifically talks about communication, written and verbal communications, within the firm. And it discusses a retention policy --

Q. Uh-huh.

A. -- of e-mail messages, and it also goes on to talk about -- I mean, this -- this is a lengthy document. Goes on to talk about how firm e-mail should not be a place to harass people or to send sexually explicit messages.

Q. Or any other inappropriate usage, correct?

A. That is correct.

Q. And -- and do you agree that the policy basically identifies -- or basically advises that there are certain uses of the firm's property, its network or the information systems or the computer software or hardware, where that could be used for inappropriate purposes?

MR. PADGETT: Objection to the form of the question.

A. Could you rephrase the question?

Q. (By Ms. Clark) Sure. Do you agree that Section B, "Networks and Information Systems," discusses inappropriate use of the firm's property?

A. Section B talks about appropriate use of the firm's network.

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Q. And inappropriate use, as well.
A. Exactly.
Q. Okay. It states that you may not -- an employee may not use the firm's network or information systems for inappropriate harassment, correct?
A. It does say that.
Q. Okay. You may not use the computers or e-mail system for commercial messages of any kind, correct?
A. It does say that.
Q. Chain letters, solicitations, or gambling. You can't use the firm's information systems or its network for that, correct?
A. The firm prohibits the use of those things.
Q. And it also prohibits what the firm describes as "other inappropriate usage," doesn't it?
A. It talks about political, religious, gambling.
Q. And what else? And what -- and what's the last clause of that sentence?
A. Says "or other inappropriate usage."
Q. Okay. Do you believe the firm considers an employee's accessing and removing firm documents without permission to be appropriate or inappropriate usage --
MR. PADGETT: Object to the form of the question.
Q. (By Ms. Clark) -- of the system? You can answer.

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A. Would you please rephrase the question?
Q. Oh, sure. Do you believe that the firm, Jones Day, would consider an employee's actions in removing -- accessing information without permission and removing documents from the firm without permission to be appropriate or inappropriate usage of the firm's system or property?
A. When you say "accessing information" --
Q. -- without permission.
A. Okay. I'd like for you to clarify what you mean by that.
Q. Retrieving documents from the system, reviewing documents from the system that you did not have the authority or permission to retrieve or review.
MR. PADGETT: Okay. I'm -- I'm going to object to this, and I'm going to instruct her not to answer that question. And here's the reason why.
MS. CLARK: I don't -- did I -- I don't need to know the reason. If you --
MR. PADGETT: Okay. Well --
MS. CLARK: We'll certify.
MR. PADGETT: -- I do want to make it clear what I'm talking about here; and -- and if you'll give me just a moment. I've been very patient I think.

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If -- if you're referring to what's been marked as Exhibit 20, I want to know if -- if these questions are referring to that document, then I think what we need to have is a statement from counsel or from someone that this letter of hardship is actually a firm document. It appears to me that this document may actually be a violation of the policy by using firm resources for personal matters, which is also contained in Page 92 and 93. And so if you're asking Ms. Slaughter about a document that's inappropriately in your system and asking whether or not this -- this document that you've made such a big deal out of has -- was actually a firm document, that's what I need to know. If it's a firm document, then ask your questions. That's fine. But the reference right now does not appear to be -- does not appear to be a firm document in any way, shape, or form.
MS. CLARK: And -- and you're -- and I want to make sure you're instructing her not to answer based on that objection so that we can move on.
MR. PADGETT: I'm instructing her not to answer until your -- your question becomes clear. Because at this point in time, it does not -- it -- it's making some sort of reference to some document somewhere; but you're -- you're not being very clear about what documents it is that you're referring to.

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And so if -- I know that we've had some discussion about this Exhibit 20 before; and if that's what we're talking about, then -- then I -- you know, then I think that's appropriate for her to ask -- or answer the question. But otherwise, it's just too confusing.
MS. CLARK: And so you -- I just want to make sure because I want to certify the question. You are --
MR. PADGETT: You can certify the question.
MS. CLARK: You -- you are --
MR. PADGETT: I'm entitled -- I'm entitled --
MS. CLARK: You are. And I just want to make sure you are instructing her not to answer the question because in your opinion, the question is confusing. Although that -- that objection goes to form, you are --
MR. PADGETT: Well --
MS. CLARK: -- in fact, instructing her not to answer the question.
MR. PADGETT: Well, I am permitted that if a question is so confusing that an answer would not enlighten anyone or if the question is phrased in such way as to be sort of the, "Have you stopped beating your

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wife yet?" question, then I'm entitled to tell her that I don't believe that it's appropriate for her to answer the question and we can go take it up with Judge -- Judge Lake.

MS. CLARK: Yeah.

MR. PADGETT: But, I mean, in addition I'm requesting -- and we can do this off the record if you like --

MS. CLARK: No. We want --

MR. PADGETT: -- but some sort of --

MS. CLARK: -- to do it on the record.

MR. PADGETT: -- some sort of clarification about what we're talking about here.

MS. CLARK: Well, then --

MR. PADGETT: Am I --

MS. CLARK: I --

MR. PADGETT: -- coming through okay?

MS. CLARK: I will -- I will repeat --

MR. PADGETT: Am I?

THE VIDEOGRAPHER: Your voice is stronger.

MR. PADGETT: Okay.

MS. CLARK: I will repeat my question, and then --

MR. PADGETT: Okay.

MS. CLARK: -- you can instruct her not to

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answer. But I -- but I'm not going to offer any additional clarification. I'm not going to allow you to essentially run the deposition. If you want to ask her questions, you have the right to.

Q. (By Ms. Clark) But I'll repeat the question, and I'll then allow your counsel an opportunity to instruct you whether or not you may answer the question.

But my question to you is whether or not you believe that an employee inappropriately accessing the firm's network or documents and -- without permission and/or removing documents from the firm without permission to be appropriate or inappropriate.

MR. PADGETT: My only objection -- I object to the form of that question.

MS. CLARK: Okay.

Q. (By Ms. Clark) You may answer the question.

A. I'm going to rephrase the question.

Q. And I'm going to ask -- you -- I'll rephrase the question if you need me to clarify it, but I'm asking you simply whether or not you believe an employee removing firm documents or accessing the firm's network or documents without permission to be appropriate or inappropriate.

MR. PADGETT: And again, I'm going to have to object to the form of the question.

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MS. CLARK: That's fine.

A. If someone hacked the system to obtain documents, that would not be appropriate. That's my answer.

MS. CLARK: Move to strike as nonresponsive.

Q. (By Ms. Clark) I'm not asking you about whether a person hacked into the system or not. The question is simply: Do you believe an employee accessing the network or documents and/or removing documents from Jones Day without permission to be appropriate or inappropriate?

A. Those are two separate questions.

Q. Okay. Well, let's take one at a time, then, if -- if that will make it easier for you to answer.

Do you believe that an employee removing documents from Jones Day without permission to be appropriate or inappropriate?

A. Removing documents that were laying around. I'm just trying to get clarification.

Q. I want to make sure I'm clear.

A. Okay.

Q. I'm referencing Jones Day documents.

A. Like a pleading?

Q. Jones -- I'm not going to -- I'm not going to

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qualify that.

A. Okay.

Q. And -- and the question is simply: Do you believe it is appropriate or inappropriate for an employee to take Jones Day documents, to remove them from the firm, without permission?

A. As it relates to litigation, if there is a document in my area -- I sit in a cubicle, an open area. If there is a document there that pertains to litigation, I don't feel that that's inappropriate.

Q. To remove those documents. To remove --

A. As it relates --

Q. -- those documents?

A. It specifically says in the documentation all documents are retrievable and discoverable in litigation.

MS. CLARK: That's all I have.

I'll pass the witness.

MR. PADGETT: We'll reserve our questions till time of trial.

THE VIDEOGRAPHER: Going off the record. The time is 2:38.

This ends this deposition with Tape 2 of 2.

(Slaughter Exhibit No. 25 was marked.)

(Deposition concluded at 2:38 p.m.)

JP002000
424250-105012
11/05/2003

Slaughter
EXHIBIT NO. 17
B. SERRATO

To: David L. Williams - Director, Human Resources

Re: Discrimination Complaint
Jones Day (Houston Office)

Thank you for taking the time to confer with me by telephone last week in response to my complaint regarding discrimination in the Jones Day Houston Office. At your request, I am briefly summarizing the events leading to my decision to contact you.

As I stated, just a few weeks ago Kevin Richardson, the Office Administrator, called me into his office to advise that the decision had been made to hire a GIS Manager. At that time I was not encouraged to apply for the position. I asked Mr. Richardson if I could see a job description. He informed me that I could obtain the job description from Stacey Brown in Human Resources. This came as quite a shock, as it was my understanding that I was the Houston GIS Manager, and had acted in that capacity since the Jones Day/Bayko Gibson merger three years ago. At the time of my meeting with Mr. Richardson, I attempted to clarify what my position would be in these changed circumstances, and Mr. Richardson advised that my position would not change, that I would be performing the same duties—in effect my job would not change. The job opening was published in the Houston Weekly Bulletin on September 19, 2003.

It was my feeling that I was being forced to apply for a job that I already had, and it was demeaning to be placed in such a position. Nevertheless, I went through the process, interviewing with Partners in the Houston Office on October 8 and 9, and on October 21 was notified by Hugh Whiting, the Partner-in-Charge, that I was not the successful candidate. He stated that Jerri Delriesgo from the Columbus Office had been offered and accepted the position. I was shocked and extremely disappointed. I asked Mr. Whiting about the selection process, inquiring as to why Ms. Delriesgo was selected over me. Mr. Whiting's response was that a major part of their decision was based upon her tenure with Jones Day, adding that she had worked for Jones Day for more than ten years. He also stated that a major part of the decision was based upon "her connections within the Firm."

On October 22, Mr. Richardson assured me that the GIS Manager position was completely new and that my current position as Technology Support Specialist would stay intact. However, I have since been instructed to hand over my Blackberry and have observed several changes in the GIS Manager Distribution Lists. I feel that my race was a factor in the decision to place me in this subordinate position.

Stacey Brown in Human Resources has advised that you will be visiting the Houston Office on November 14 and 17 to meet with certain Jones Day employees. I personally look forward to meeting with you at that time and I would like for this matter to be investigated to the fullest extent. As mentioned in our telephone conversation, there appears to be inconsistent personnel practices in the Houston Office. I will be glad to discuss more information relative to this concern with you in person during your visit.

Ava M. Slaughter
(832) 239-3735
3-3735

November 5, 2003

Houston *Weekly Bulletin of Jones Day Houston*

September 19, 2003

Slaughter
EXHIBIT NO. 21
B. SERRATO

Financial Services

Expense Reports

Expense Reports for the week ending Sunday, September 21, 2003 should be completed and returned to Financial Services by 12:00 p.m. on Tuesday, September 23, 2003.

Time Entry

Time worked through Sunday, September 21, 2003, should be closed in Carpe Diem by
Tuesday, September 23, 2003.

Welcome

Amberley Goodchild joins the New Associates Group on Monday, September 22nd. *Amberley* is a recent graduate from University of Texas School of Law. She will be located on the 65th floor in the office adjacent to Melissa Romine and can be reached at ext. 3-3712. Amberley will be assisted by Shirley Rushing.

Steven Gyeszly joins the New Associates Group on Monday, September 22nd. *Steven* is a recent graduate from University of Texas School of Law. He will be located on the 65th floor in the office adjacent to Aaron Gard and can be reached at ext. 3-3761. Steven will be assisted by Desiree Suri.

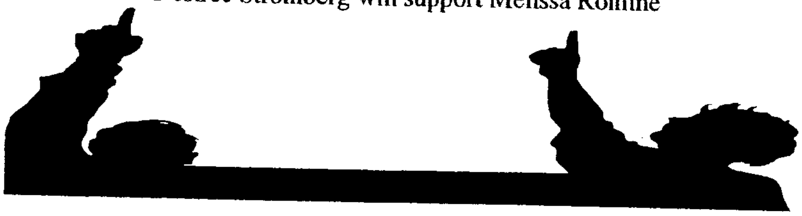
James Hall joins the New Associates Group on Monday, September 22nd. *James* is a recent graduate from University of Houston School of Law. He will be located on the 65th floor in the office adjacent to Melissa Romine and can be reached at ext. 3-3760. James will be assisted by Shirley Rushing.

Please stop by and welcome *Amberley, Steven and James* to Jones Day Houston.

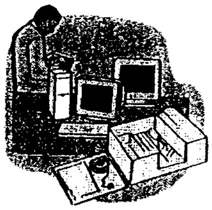
Secretarial Assignments

Effective Monday, September 22, the following changes will be made:

Cindy Smith will support Mark Metts
Mary Breaux will support Karyn Hendee
Desiree Stromberg will support Melissa Romine



Job Posting



Job Title: Global Information Services (GIS) Manager

Hours: 8:30 a.m. - 5:00 p.m.
Evenings and weekends as required

General responsibilities include providing technical and operational oversight and support of Office computer systems and equipment. The GIS Manager is expected to work closely with Office Management and Firm GIS on Office and/or technology initiatives, maintain expertise in the tasks and services provided by the GIS Department, and work on, as well as delegate tasks assigned to the Department.

Candidate must possess excellent communication and interpersonal skills, as well as a commitment to providing superior service to clients, lawyers and staff. Further, the candidate should possess proven organizational and leadership skills, the ability to effectively prioritize competing service demands, the capacity to produce quality work products, and foster an atmosphere of teamwork and continuous improvement.

Educational/Job Experience Requirements:
- Four-year college degree, or equivalent work experience
- 5 years experience in a computer-related field, or 3 years experience in a law firm Information

Services Department.

Educational/Job Experience Preferred but not required
- Previous supervisory experience

Job Title: **Legal Secretary**

Hours: **8:30 am - 5:00 pm**
Overtime as required

Primary responsibilities include providing secretarial and administrative support to attorneys and legal assistants, including typing, filing, answering phones, making travel arrangements, and other duties as required. Candidate must possess excellent organizational, communication and interpersonal skills, as well as a commitment to providing superior service to clients and producing quality work products.

Education/Experience Requirements
High School Diploma or equivalent; legal secretarial experience; specialized secretarial degree, associate and/or bachelor's degree desirable, but not required.

A detailed job description is available on request. Interested parties should contact Stacey Brown at 3-3733.

Library News

New Acquisitions:

KFT 1276.5 .H47. Texas Legal Malpractice & Lawyer Discipline. Dallas, TX. Texas Lawyer, 2002.

KF 1398 .P7 no.1384. Basic Immigration Law 2003. New York, NY. PLI, 2003.

Slaughter
EXHIBIT NO. 23
B. SERRATO

JONES DAY
HOUSTON OFFICE

JOB DESCRIPTION

Job Title: Technology Support Specialist **FLSA Status:** Non-Exempt

Department: Technology Support Services **Reports To:** TSS Manager

Schedule: 8:30 am - 5:00 pm, M-F, unless otherwise approved
Overtime as required

General Summary: Under immediate supervision and direction of the TSS Manager, and following prescribed departmental, Office and Firm procedures, the Technology Support Specialist is responsible for the technical and operational support of personal computer based hardware and software and for the technical and operational support of the local area network components. The Technology Support Specialist is expected to perform all job duties with a commitment to providing superior service to clients, producing quality work products, and maintaining an atmosphere of teamwork and continuous improvement. Above all, the Technology Support Specialist must fulfill the needs of the Office in a manner that is consistent with the Firm's visions and values.

Essential Duties and Responsibilities (duties are performed throughout every work day, as necessary) :

- Apply a highly-developed and practical knowledge of PC hardware architecture and applications, including operating systems, batch files, and a variety of PC operating management and application software and PC connectivity software; troubleshoot both PCs and printers to the defective component; and to exchange defective and inoperable components.
- Telephone system administration of localized configuration elements, and the execution of physical Move, Add & Change (MAC) procedures.
- Assemble and place PC's, printers and other computer-related equipment.
- Maintain equipment and software inventories and departmental records.
- Assist technology users in the proper use of hardware and software.
- Arrange for equipment maintenance including vendor repairs, depot repairs and preparation of departmental records.
- Approve invoices regarding the same.
- Assist with various LAN administration functions.

- Maintain backup tapes in accordance with the Firm's operational procedures.
- Assist with developing and maintaining documentation for PC-based applications.
- Assist with troubleshooting printer relationships, font control and printers.

Other Duties (duties are performed periodically, as necessary):

- Assist with general department coverage in the absence of other department staff.
- Assist with the integration of specialized application for small team and/or individual needs.
- Properly and appropriately promote the Firm's technology initiatives.
- Maintain contracts and licensing agreements for products and/or services not covered under Firm-wide programs. Coordinate associated service providers.
- Prepare for and handle planned growth with appropriate technology-related initiatives and expansions, and associated budgetary allocations.

Essential Knowledge, Skills and Abilities:

- A thorough, practical knowledge of PC hardware and software and the ability to troubleshoot problems relating thereto.
- Knowledge of major PC-based software packages, including PC operating systems, work processing editors, graphical user interfaces, graphics programs, spreadsheet programs, and telecommunications software.
- Practical working knowledge of local area network technologies.
- Ability to read, write and speak English.
- Excellent written and oral communication skills, including grammar, spelling and punctuation.
- Ability to read, comprehend and follow instructions.
- Thorough knowledge of Firm's computer-based work processing software.
- Thorough knowledge of Firm's e-mail system.
- Proficiency with advanced telephone functions, including conference calling and voicemail.

- Excellent record-keeping skills.
- Proficiency on office equipment used on a regular basis including computers, printers, copy machines, facsimile machines, telephones and transcription machines.
- Ability to work independently, take initiative, set priorities and see projects through completion.
- Ability to meet deadlines and respond to changing priorities.
- Ability to handle many tasks simultaneously.
- Ability to work with a wide range of people in a team setting.
- Ability to establish effective working relationships within the department, office and Firm.
- Ability to establish effective working relationships with clients, vendors and others outside the Firm.
- Strong service orientation.
- Commitment to the Office and Firm.
- Commitment to professional growth.

Physical Requirements:

- See.
- Hear.
- Speak.
- Crouch.
- Bend and twist at the waist.
- Walk.
- Ability to lift 40 pounds, often repeatedly.
- Ability to push or pull a loaded cart weighing 60 pounds.
- Duties performed may be in aisles, open areas and compact rooms.
- Duties are performed using repetitive finger, hand and arm movements.

- Duties require fine manipulation (typing).
- Duties require simply grasping (files, documents, telephone, writing instruments).
- Duties may require combinations of the above movements.

Educational/Job Experience Requirements:

- Four year College degree, or equivalent work experience.
- Minimum of 3 years experience in a computer-related field.

This document describes the general content of and requirements for the performance of this job, but is not an exhaustive statement of essential functions, responsibilities or requirements. Moreover, the description excludes the marginal functions of the position that are incidental to the performance of fundamental job duties. Employees are expected to follow any job-related instructions and to perform any other job-related duties requested by their supervisor.

Requirements are representative of minimum levels of knowledge, skills and abilities. To perform this job successfully, the incumbent will possess the abilities or aptitudes to perform each duty proficiently. Individuals with disabilities are accommodated in accordance with the Americans With Disabilities Act.

This document does not create an employment contract, implied or otherwise. Employees in this positions are employed "at will."